

Mr Ferguson, you have pleaded guilty to one count of making false threats of danger.

On 17 February 2020, you telephoned the police radio room via the 000 emergency line and said that you intended to blow up the police station. You were extremely intoxicated and during the call, you engaged in a drunken rant that included other threatening comments. I have heard the recording of the telephone call. Your intoxication is obvious and I doubt that the operators listening to you thought that you were serious about carrying out your threats. However, the police, of course, could not take the risk that you did not intend to engage in conduct of a dangerous nature, and accordingly, conducted a search of the police station. However, the station was not evacuated. Police located you by determining the location of your mobile telephone and you were arrested shortly after. Although this occurred relatively quickly, it is clear that considerable resources were required to achieve this outcome.

Your counsel confirmed that you were heavily intoxicated when you made this call. In fact, you have no recollection of it. Your counsel tells me that you are usually a non-drinker, but that on this occasion you consumed a large amount of alcohol at the urging of others.

You are now 22 years of age. You have a lengthy criminal history, which commences when you were 17. Your record contains numerous traffic and other relatively minor summary offences. It indicates a general disrespect for the law and lawful authority. Since committing this offence, you have been sentenced to cumulative terms of imprisonment for various offences, including evading police and reckless driving, which were committed before and around the same time as this crime. I am told that your release date is 28 November 2020.

I have obtained a report from community corrections about you. I note from the report that you have rejected opportunities offered to you by previous community-based sentencing orders. Despite this, the author has recommended another period of community supervision.

Although your actions amounted to an act of drunken stupidity, they also constituted a serious crime. Crimes of this nature divert valuable police resources, and of course, have the capacity to instil fear and confusion in those to whom they are directed and in the community generally. They suggest an aspiration which is completely contrary to the lawful and peaceful nature of our society. General deterrence is, in my view, an important sentencing consideration.

However, given that you are already serving a relatively lengthy sentence, which hopefully will provide a wake-up call for you, and having regard to your plea of guilty and your age, I am prepared to exercise some leniency and to emphasise the encouragement of your rehabilitation. Your crime deserves imprisonment, but I will wholly suspend the sentence of imprisonment that I intend to impose. The conditions of suspension will include probation supervision.

The orders I make are as follows:

You are convicted of the crime to which you have pleaded guilty;

You are sentenced to four months' imprisonment, which will be suspended for a period of 18 months on the following conditions:

- 1 That you are not to commit another offence punishable by imprisonment during that period.
- 2 That you will be subject to the supervision of a probation officer. You must comply with this condition for a period of 18 months. That period will commence from when you lawfully cease to be imprisoned under the sentences currently being served by you. The Court notes that the conditions referred to in s 24(5B) of the *Sentencing Act* apply to this condition. These include that you must report to a probation officer within 3 clear days of the day that you lawfully cease to be imprisoned under the said sentences. In addition to the core conditions the order shall also include the following special conditions:
 - (a) you must, during the operational period of the order, attend educational and other programs as directed by the court or a probation officer;
 - (b) you must, during the operational period of the order, submit to the supervision of a probation officer as required by the probation officer;
 - (c) you must, during the operational period of the order, undergo assessment and treatment for drug dependency as directed by a probation officer;
 - (d) you must, during the operational period of the order, submit to testing for drug use as directed by a probation officer;
 - (e) you must, during the operational period of the order, undergo assessment and treatment for alcohol dependency as directed by a probation officer;
 - (f) you must, during the operational period of the order, submit to testing for alcohol use as directed by a probation officer;
 - (g) you must, during the operational period of the order, submit to medical, psychological or psychiatric assessment or treatment as directed by a probation officer.